

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK-----X  
In Re: New York City Policing During Summer :  
2020 DemonstrationsORDER  
20 Civ. 8924 (CM) (GWG)-----X  
**GABRIEL W. GORENSTEIN, United States Magistrate Judge**

In conjunction with the plaintiffs' application at Docket # 848 (and the defendants' response at Docket # 873), the City has moved to seal portions of the letter filed in redacted form at Docket # 848 and related exhibits, which were transmitted to the Court in unredacted form. See Docket # 871. Plaintiffs oppose the request to seal. See Docket # 875.

We previously delineated the governing standard in In re New York City Policing During Summer 2020 Demonstrations, 2022 WL 7886182 (S.D.N.Y. Oct. 14, 2022). In applying the applicable three-part test here, we will assume that these are judicial documents. As a result, a presumption of access attaches. However, in discovery disputes the weight of the presumption is not strong. Id. at \*2. The application at Docket # 848 in actuality is a dispute about discovery on discovery, and we thus view the presumption of access to be nearly at its nadir. As countervailing considerations against this low weight, defendants have outlined a number of reasons that carry some weight regarding its interest in not having the documents revealed publicly (at least at this time). Docket # 871 at 4-5. Because the presumption in this context is extremely low and because defendants have identified rational concerns counseling against disclosure, including their interest in not unnecessarily disclosing information regarding police staffing decisions, intelligence, and training, we find that the City has carried its burden in favor of sealing. Thus, the City's application (Docket # 871) to maintain the redactions in Docket # 848 and the letter regarding sealing is granted.

SO ORDERED.

Dated: March 7, 2023  
New York, New York
  
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 GABRIEL W. GORENSTEIN  
 United States Magistrate Judge